



South Atlantic Update

Published for fishermen & women and others interested in Marine Conservation

March, 1996

Shrimp Amendment 2 Approved for Formal Submission to Secretary of Commerce

The South Atlantic Council approved Amendment 2 to the Fishery Management Plan for Shrimp in South Atlantic federal waters. The Amendment will be submitted to the Secretary for review and approval at the end of March.

Amendment 2 addresses the need for bycatch reduction in the penaeid (white, brown, and pink) shrimp fishery. If implemented, this amendment will require bycatch reduction devices (BRDs) in penaeid shrimp trawls, as specified in the amendment, in South Atlantic federal waters. Regulations are expected to be in place by August, 1996.

Several actions in the amendment were modified, based on comments received during the public hearings in January. For a comprehensive list of the actions included in the amendment, please see page 9.

Council Sets Mackerel Trip Limits

At the February council meeting in St. Augustine, Florida, the council requested that Dr. Andrew Kemmerer, Southeast Regional Director of the National Marine Fisheries Service, "un-defer" making a decision on the daily commercial trip limits proposed for Atlantic group king mackerel.

The council requested Dr. Kemmerer implement trip limits through the framework seasonal adjustment in April, 1995, but he deferred making a decision at that time.

The council modified its preferred alternative for trip limits in Florida, based on public testimony from public hearings recently held on draft Amendment 8 to the Fishery Management Plan for Coastal Migratory Pelagics. The new trip limits, also submitted for implementation through the seasonal framework, concur with the Gulf Council's preferred alternative for trip limits in Florida.

The new daily trip limits are as follows:

April 1-March 31, Volusia/Flagler to NY/CT border; 3,500 pounds

April 1-October 31, Brevard/Volusia to Volusia/Flagler; 3,500 pounds

April 1-October 31, Brevard/Volusia to Dade/Monroe; 50 fish

April 1-October 31 Monroe County; 125 fish

The council is concerned that without trip limits, catches in Florida will be large enough to fill the quota, thereby resulting in a closure of the fishery in the northern states. Such a premature closure will disrupt markets and result in negative social and economic impacts in the affected states. The trip limits will also provide biological protection to help stabilize yield, will minimize gear and user group conflicts, and will optimize social and economic benefits from the Atlantic migratory group king mackerel fishery.

If approved, the council expects the modified trip limits to be implemented by April 1, 1996.

See Mackerel, page 8

Wreckfish TAC Remains Two Million Pounds

Based upon recommendation of the Snapper Grouper Assessment Group and Wreckfish Advisory Panel, the council voted unanimously to maintain the total allowable catch (TAC) for the 1996-97 wreckfish fishing season at two million pounds.

The assessment group also recommended the council monitor the fishery closely since catch and effort statistics are very sensitive to sampling error due to the small number of participants in the fishery.

Wreckfish are managed under an individual transferable quota program, where only those who hold percentage shares are allowed to participate in the fishery. Total landings for the 1995-96 fishing season were 644,799 pounds; less than half the two million TAC.

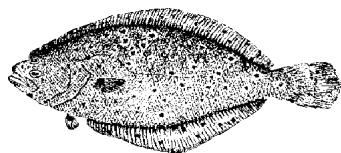
Testimony from Wreckfish Advisory Panel members at the February council meeting in St. Augustine supported speculation that catch was low last year due to the high number of tropical depressions and hurricanes, as well as market competition from imported grouper from Central America and the Bahamas.

The assessment group concluded that existing data on size do not indicate fishing has measurably impacted size distribution of the available stock. Catch per unit effort has trended downward, from 984 pounds per day in 1991 to 751 pounds per day in 1995.

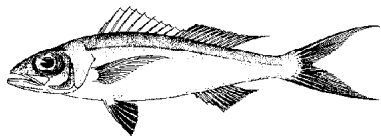
Council Seeks Applicants to Fill Advisory Panel Vacancies

We are currently looking for qualified applicants to fill vacancies on the following Advisory Panels:

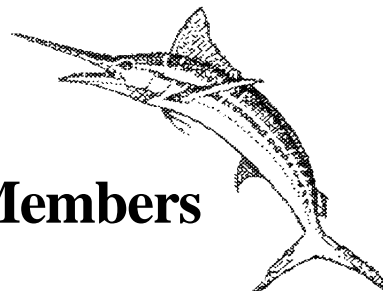
- A commercial **Wreckfish** fisherman from Florida;
- A commercial **Snapper Grouper** fisherman from North Carolina;
- A commercial **Mackerel** fisherman from Georgia;
- Two **Summer Flounder** fishermen, who will serve as South Atlantic liaisons to the Mid-Atlantic Council;
- A **Rock Shrimp** fisherman from Florida.



These positions will be filled at the April council meeting, from April 8-12, so please call the council office *today* to request an advisory panel application form. Applications received after April 1 will not be considered.



"With public sentiment, nothing can fail; without it, nothing can succeed."
-Abraham Lincoln

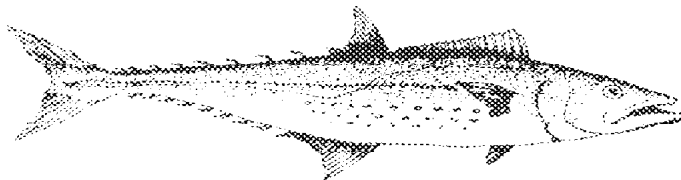


Council Welcomes New Advisory Panel Members

At its February meeting, the council appointed the following people to fill Advisory Panel vacancies:

- **Billfish** - Ellen Peel of Ft. Lauderdale, Florida;
- **Habitat** - Greg Masson of Brunswick, Georgia;
- **King and Spanish Mackerel** - Charles E. Hawkins of Ft. Pierce, Florida,
Bill Wickers of Key West, Florida,
Rita Greene Merritt of Wrightsville Beach, North Carolina

The council extends a warm welcome to these new AP members. We look forward to their input with regard to fisheries management of species in their expertise. If you would like to provide advice to the council by serving on an advisory panel, look for advertisements in *The Update* for AP vacancies, then call the council office to request an application.



April Council Meeting Preliminary Agenda

The next council meeting will take place from April 8 to April 12, 1996, at the Comfort Inn Island Suites, 711 Beachview Drive, Jekyll Island, Georgia 31527; telephone: (912) 635-2211.

The following preliminary agenda is subject to change:

Monday, April 8	1:30-5:30	Joint South Atlantic & Gulf Mackerel Committee meeting
Tuesday, April 9	8:30-12:00	Joint South Atlantic & Gulf Mackerel Committee meeting
	1:30-5:30	Joint Snapper Grouper Advisory Panel, Snapper Grouper Committee, & Controlled Access Committee meeting
	6:30	Scoping meeting of the Sale of Bag Limit (Recreational) Caught Fish
Wednesday, April 10	8:30-12:00	Joint Snapper Grouper Advisory Panel & Snapper Grouper Committee meeting
	1:30-5:30	Controlled Access Committee meeting
Thursday, April 11	8:30-10:30	Advisory Panel Selection Committee meeting (Closed Session)
	11:00-5:00	Council Session
Friday, April 12	8:30-12:00	Council Session

SOUTH ATLANTIC COUNCIL'S 1996 MEETING SCHEDULE

April 8-12, 1996
Comfort Inn Island Suites
711 Beachview Drive
Jekyll Island, Georgia 31527
(912) 635-2211

June 10-14, 1996
Pier House
One Duval Street
Key West, Florida 33040
(305) 296-4600

August 19-23, 1996
Town & Country Inn
2008 Savannah Highway
Charleston, South Carolina
29407
(803) 571-1000

November 18-22, 1996
Sheraton Atlantic Beach Resort
Salter Path Road, P.O. Box
3040
Atlantic Beach, North Carolina
28512
(919) 240-1155

March 1996 Commercial and Recreational Regulations Brochures Available Soon!

Federal commercial and recreational fishing regulations for the South Atlantic are available from the South Atlantic Council. The brochures are being updated to reflect changes in regulations for several species we manage. If you would like copies of the free brochures, call the council office at (803) 571-4366 and let us know!

Golden Crab Fishery Management Plan Under Final Review



Public is Urged to Comment



The Secretary of Commerce began the formal 95-day review process on February 26, 1996, for the Golden Crab Fishery Management plan, submitted to NMFS on December 15, 1995.

The delay was due to government and weather closures, as well as the usual pre-review/regulations drafting process. The draft regulations are scheduled to be published in the Federal Register later this month. Once published, the council will have the draft regulations available for the public.

The final 45-day public comment period for the Golden Crab FMP ends on April 25, 1996. Comments should be sent to the Southeast Regional Office of the National Marine Fisheries Service (See address below), with a copy sent to the South Atlantic Council office.

Comments submitted to the council during the development of the FMP will not be considered during the final review process. If you want to ensure your views are addressed, you must write a letter during the comment period.

Comments should be mailed to:
National Marine Fisheries Service
9721 Executive Center Drive, North
St. Petersburg, FL 33702

A copy of the comments should be mailed to:
South Atlantic Council
One Southpark Circle, Suite 306
Charleston, SC 29407

A Friendly Reminder!

The public is reminded to get formal comments concerning fishery management plans and amendments to the council office before the end of the public comment period.

We try to give the public as much time as possible to comment, but unfortunately, we are under time constraints to compile and reproduce the comments package. To ensure your comments will be included in the comments package for council review, council staff must receive them by the deadline. Please keep in mind that letters received after the comment period will not be distributed to council members at the following meeting. They will be referred to by council staff, but will not be as effective as if they were included in the comments package.

Public input is vital to the management process, and the council encourages you to submit written comments. Public comment periods are published in the Federal Register, and we advertise them in our news releases and news letters. If we are working on a plan or amendment of concern to you, and you are unsure of the comment deadline, please call the council office and ask.

Council to Hold Final Scoping on the Sale of Recreational Caught Fish

The council will take final public input concerning the sale of bag limit recreational caught fish at the April council meeting in Jekyll Island Georgia. After this scoping, the council will consider public testimony collected at scoping meetings throughout the year on this topic before deciding if regulations are needed.

Allowing the sale of bag limit caught fish has been a controversial topic of concern raised by both commercial and recreational fishermen. This issue has revolved around several items, including: the definitions of recreational and commercial fishermen; the ethical question of a "recreational" fisherman selling his catch; and the impacts of selling bag limit caught fish on commercial quotas.

Currently, all of the council's management plans allow for the sale of fish taken in a legal bag limit, with some constraints.

By holding this scoping, the council is trying to determine if the policy of allowing the sale of these fish needs to be changed.

The purpose of a scoping meeting is to give you the opportunity to comment before the council develops a position on an issue. Proposed management measures and alternatives included in public hearing documents (fishery management plans and amendments) originate from public input during this initial phase of the management process.

Scoping meetings are different from public hearings in that the council does not have a position on a particular issue prior to the scoping meeting. If the council decides to take action on these issues, there will be an additional series of public hearings to receive input on the proposed actions.

If you are unable to attend the scoping, but would like to provide input concerning the sale of bag limit (recreational) caught fish, you may send letter to the council office.

Recreational Quota for Giant Bluefin Tuna Reached

**Fishery Closed Until January,
1997**

The National Marine Fisheries Service closed the recreational fishery for giant bluefin tuna in federal waters along the east coast, effective March 17, 1996.

NMFS set a limit of four metric tons this year for bluefins. As of Sunday, March 3, 3.7 tons had been caught.

Now it is illegal to keep bluefin tuna longer than 73 inches. Anglers may catch and release the fish, and keep one per day, under 73 inches. The commercial fishing season for bluefin tuna opens in June.

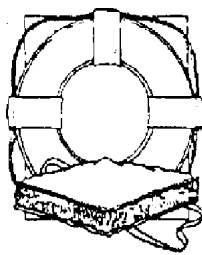
According to Bill Hogarth, Director of the NMFS highly migratory species division, almost all of the bluefin tuna caught since the opening of the recreational fishing season two months ago have been caught off Cape Hatteras, North Carolina.

Anglers fishing off charter boats and those catching tuna from private vessels were limited to one giant bluefin tuna per boat per year, due to the weight of the fish and the low quota.

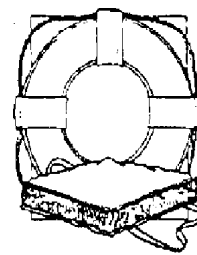
According to Chris Rogers of NMFS, the quota for giant bluefins has never been reached before, so this is the first time they have had to close the fishery.

Questions concerning permits to fish for tuna may be directed to the Gloucester, Mass. office of NMFS at (508) 281-9370.

The recreational fishery for bluefins will reopen for the next fishing season, beginning January, 1997.



Law Enforcement



The Southeast Enforcement Division of the National Marine Fisheries Service reported the following enforcement cases from South Atlantic federal waters between October 20, 1995 and February 8, 1996:

- On 12/4/95 and 12/5/95, USCGC Key Largo boarded two vessels, citing total violations of 57 undersized snapper.
- On 12/31/95, USCG Station Canaveral officers boarded a commercial shark longliner coming into Port Canaveral with 4,111 pounds of shark meat and assorted fins during closure of the large coastal shark fishery. The shark meat had been placed under ice and bait in an attempt to conceal the catch. In addition to the meat, 281 pounds of shark fins were seized. It was determined later that the fin/meat ratio was excessive, therefore, the subject was also charged with illegal finning. The meat was sold for \$2,466.60 and the fins for \$7,371.50.
- On 12/19/95, a fisherman was apprehended in south Florida by Florida Marine Patrol officers in possession of seven swordfish carcasses. The small vessel did not have the capability to harvest swordfish and did not possess any applicable gear or permits. The subject admitted to purchasing the swordfish from a longliner in an 'at sea' transfer. Apparently the longliner is in the practice of transferring their excess and/or undersized swordfish to smaller vessels. The operator was cited for: (1) possessing swordfish without a valid permit; (2) purchasing swordfish without a dealer's permit; (3) transfer of swordfish at sea; (4) landing undersized swordfish; and (5) possession of swordfish in excess of the bycatch limit. The investigation continues in an attempt to link the longliner to the small boat.

OTHER

- On 1/6/96, a 70 foot tugboat from Cocoa Beach, Florida ran aground in the intercoastal waterway on the Florida Bay side of Key Largo. The tugboat was pushing a 140' empty barge at the time, however, only the tugboat went aground. The tugboat was successfully pulled off and released after documentation was completed. A thorough damage assessment will be conducted by Florida Keys National Marine Sanctuary biologists. NOAA will be looking into possible civil penalties, damage action, or seeking compensation for emergency response, though no charges have been filed at this time.

Council Continues Developing Draft Amendment 9 to the Snapper Grouper Fishery Management Plan

Amendment proposes to implement controlled access program for the fishery

At the April meeting, the South Atlantic Council will consider actions that would limit access to the snapper grouper fishery.

The size and capacity of the fleet fishing for snapper grouper species have increased significantly in recent years and the exact number of vessels exploiting the fishery is not known. This is partly because a number of vessels in other fisheries obtain reef fish permits to enable them to land incidental catches of snapper and grouper species.

Despite bag and trip limits, some of the stocks are still overfished or near the overfished stage. Current regulatory measures under the open access situation are likely to attract new entrants to the fishery and provide incentive for those already in the fishery to increase harvest capacity.

The council's Controlled Access Committee will meet on April 9 and 10 to review the options paper for the limited access program, which will develop into Public Hearing Draft Amendment 9 to the Snapper Grouper Fishery Management Plan, if approved.

The options paper proposes three main actions for controlling access to the snapper grouper fishery under the jurisdiction of the council:

- (1) Limiting the number of participants based on certain criteria;
- (2) Assigning effort units and other controlled access measures to those who qualify to fish for shallow and mid-depth species, and will also facilitate monitoring and data collection; and
- (3) A possible individual transferable quota system and other controlled access measures for managing the deep water species.

ACTION 1. The proposed action would limit permit holders to those who can demonstrate landings of species in the snapper grouper management unit as of July, 1991, which is the control date for the snapper grouper fishery; and to those who have provided all monthly logbook reports to NMFS as required for the 1993 and 1994 calendar years. Nine other options will be considered for this action.

ACTION 2. There is no proposed action for the shallow and mid-depth fishery, such as red porgy; however, seven options for controlled access will be considered.

ACTION 3. There is no proposed action for the deep water fishery, such as snowy grouper and golden tilefish; however, eight options for controlled access will be considered.

The options paper, which includes all options under consideration for inclusion in Draft Amendment 9, is available from the council office. The document will also be available at the council meeting in Jekyll Island, Georgia from April 8-12.

HOW IMPORTANT IS MY VESSEL'S CATCH HISTORY?

(Who owns the catch history if I sell my boat or if I buy a new boat?)

by Gregg Waugh

With so many management programs moving towards controlled access or some type of individual transferable quota (ITQ) system, fishermen should be aware of the importance of their vessel's catch history. One of the more common criteria used to determine who qualifies in a controlled access program is the vessel's catch history. Usually the catch history is tied to the owner of the vessel at the time the vessel had catches in a particular fishery.

If you BUY or SELL a vessel it is in your best interest to state clearly in the purchase or sale document whether the vessel's catch history is included. For example:

"The sum of \$X dollars has been received for the F/V Leaving the Fishery. The vessel's catch history is not being sold. The vessel's catch history remains the property of the seller."

OR

"The sum of \$X dollars has been received for the F/V Leaving the Fishery. The vessel's catch history is also included in the sale. The vessel's catch history now becomes the property of the buyer."

This information is being provided solely to make fishermen aware of the importance of clearly stating what happens to a vessel's catch history and should not be considered as legal or business advice. As in any business transactions, fishermen should retain the services of a competent lawyer and tax advisor.

Council to Approve Amendment 8 to the Snapper Grouper Fishery Management Plan for Public Hearing

After being delayed for several months, the Snapper Grouper Advisory Panel will meet with the Snapper Grouper Committee during the April meeting to consider the options paper for Amendment 8 to the Fishery Management Plan for Snapper Grouper. The options that are approved will become Public Hearing Draft Amendment 8, and the committee will schedule public hearings.

The council received requests from the public during the scoping process to consider additional regulations for greater amberjack, yellowtail snapper and multi-day bag limits. Other options concerning commercial permit availability and limited access to the snapper grouper fishery were taken to hearings during development of Snapper Grouper Amendments 6 and 7.

The following options are being reviewed for inclusion in Amendment 8 to the Snapper Grouper plan:

- **Red porgy size limit and trip limit.** This option will increase the red porgy minimum size limit from 12" total length (TL) to 15" TL for both recreational and commercial fishermen. A bag limit of three with the 15" size limit is also being considered along with a 100 pound trip limit for the commercial sector. Evidence from every available source indicates that red porgy are drastically overfished. The 15" size limit would achieve a spawning stock ratio (SSR) of 30%.



- **Black sea bass minimum size limit.** An increase in the black sea bass minimum size limit from 8" TL to 10" TL for both recreational and commercial fishermen is being considered. Another option would prohibit black sea bass pots within 30 miles offshore in the area bounded by a line due east from Frying Pan Shoals, NC south to a line extending due east of Cape Romain, SC. Black sea bass were not overfished according to a 1992 assessment, but public input during the scoping process indicated serious declines in black sea bass, especially off northern South Carolina. The Mid-Atlantic Council is also considering new regulations for the recreational black sea bass fishery.

- **Definition of overfishing.** The council will consider specifying 40% SSR as the target level, 30% SSR as the overfished level, and 10% as the threshold level for all snapper grouper species except jewfish.



- **Modify commercial permit requirements.** The council will consider requiring reporting by the 10th of the month following the month of activity. If there was no fishing, a report must be submitted by the 10th. If two or more reports are late, the permit will not be issued.

- **Greater amberjack.** Prohibiting the sale of bag limit caught fish during April south of Cape Canaveral, Florida is being considered. As all fishermen are limited to the bag limit during April, this would have the effect of prohibiting sale of greater amberjack during the month of April. Another option added would reduce the amberjack bag limit to 1 and reduce the recreational size limit to 20" for all species. Commercial regulations will not be affected.



- **Vermilion snapper.** The council will be looking at options to rebuild the stock above 40% SSR based on biomass. During the scoping process, some fishermen indicated that vermillion snapper are in good shape and therefore requested an increase in bag limits. However, the stock assessment report presented at the June 1995 council meeting indicated that although the stock has shown some recovery, it is still overfished.



- **Possession of fish traps in the South Atlantic EEZ.** The council intends to establish a transit zone through the South Atlantic EEZ in south Florida and allow transit of the South Atlantic EEZ with possession of both the Gulf reefish permit and fish trap permit/endorsement.

- **Specify bottom longline only allowed for snowy grouper, golden tilefish and yellowedge grouper.** The council intends to specify bottom longlining gear only be used for these directed species. Another action is being proposed to address bottom longlines south of St. Lucie, Florida. Amendment 7 allows bottom longlines north of St. Lucie Inlet. The council will also be examining logbook information about catch of other species.

- **Specify allowable gear.** Several options are included to deal with fishermen in south Florida who are using small nets to catch pilchards for bait, then going to fish for mangrove snappers. The possession of nets and snapper grouper species is not allowed.

The council will also look at a report on the status of Gag Grouper at the April meeting, and decide if options for managing gag grouper will be included in Amendment 8. This report will help the council determine if regulations are needed to protect the gag grouper spawning stock. Past reports indicate there may be a low male to female ratio, signifying a possible recruitment problem.



Commercial King Mackerel Fishery in the Florida West Coast Sub-Zone Closed Until July 1, 1996

The National Marine Fisheries Service has determined that the commercial quota of 432,500 pounds for Gulf group king mackerel for vessels using hook-and-line gear in the Florida west coast sub zone was reached on February 20, 1996. The closure of this fishery became effective on February 21, 1996

The trip limit was previously reduced to 50 fish on January 24, 1996, when 75 percent of the quota was taken.

Catch limits recommended by the Gulf and South Atlantic Councils and implemented by NMFS for the Gulf migratory group of king mackerel set the commercial quota in the Florida west coast sub-zone at 865,000 pounds.

That quota was further divided into two equal quotas of 432,500 pounds for vessels in each of two groups by gear types; 1) vessels fishing with run-around gillnets and 2) those using hook-and-line gear.

The commercial quota of king mackerel for vessels using run-around gillnet gear was reached, and NMFS closed that segment of the fishery on February 12, 1996.

Thus, with the hook-and-line closure, all commercial fisheries for king mackerel in federal waters are closed from the U.S./Mexico border

through the Florida west coast sub-zone through June 30, 1996.

No person on board a vessel permitted to fish under a commercial allocation may fish for, retain, or have in possession in federal waters Gulf group king mackerel from the closed zones during the closure, except for a person aboard a charter vessel.

A person on board a charter vessel may continue to fish for king mackerel in the closed zones under the bag limit, provided the vessel has an annual charter vessel permit. A charter vessel with a permit to fish on a commercial allocation is under charter when it carries a passenger who fishes for a fee or when there are more than three persons on board, including operator and crew.

During this closure, king mackerel from the closed zones taken in federal waters (three to 200 miles offshore), including those harvested under the bag limit, may not be purchased, bartered, traded, or sold.

This prohibition does not apply to trade in king mackerel from the closed zones that were harvested, landed, and bartered, traded or sold prior to the closure and held in cold storage by a dealer or processor.

Mackerel Committees to Hold Joint Meeting

At the February meeting in St. Augustine, Florida, the council's Mackerel Committee voted to amend several options included in Amendment 8 to the FMP for Coastal Pelagics, based upon public hearing comments.

The Gulf and South Atlantic Council's Mackerel Committees will meet jointly during the April meeting in Jekyll Island, GA to discuss these changes and address several options upon which the councils need to concur. Both Councils must agree on all measures in the amendment before it can be approved for submission to the Secretary of Commerce.

Several issues, including allowable gear, permit requirements, and overfishing definitions will be addressed. The South Atlantic Mackerel Committee at its last meeting voted to add cast nets as allowable gear for the Atlantic group Spanish mackerel fishery, in addition to run around nets, stab nets and hook and line gear. For Florida's East coast allowable gear for Spanish Mackerel will be limited to one gill net of up to 800 yards in length and a one hour soak time.

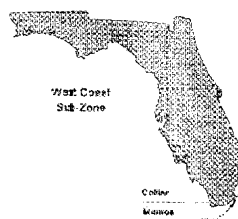
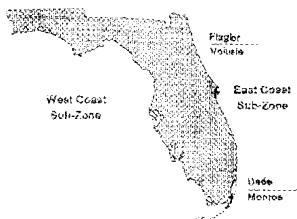
In addition, revisions were made to allowable gear for Atlantic group king mackerel, with hook-and-line gear only allowed south of Cape Lookout, N. C., while net gear would be allowed north of Cape Lookout. Regarding permit requirements and overfishing definitions, the committees will need to address recent comments received during the public hearing process.

Pamela Mace of the National Marine Fisheries Service's Highly Migratory Species Division will give a presentation on the work her group has done relative to the use of Spawning Potential Ratio and establishing overfishing definitions at the April meeting.

GULF GROUP KING MACKEREL SEASONAL BOUNDARIES

(Nov 1 - March 31)

(April 1 - Oct 31)



The Florida west coast sub-zone extends from the Alabama/Florida boundary to: (1) the Dade/Monroe County, Florida boundary from November 1 through March 31; and (2) the Monroe/Collier County, Florida boundary from April 1 through October 31.

Council Approves Amendment 2 to the Shrimp Fishery Management Plan

The Council modified Amendment 2 and approved it for secretarial review at the February meeting. The plan will be submitted to the Secretary at the end of March. This amendment includes measures to reduce bycatch only in the penaeid (white, brown and pink) shrimp fishery.

The following are final management measures included in Amendment 2 to the Shrimp FMP:

Action 1. Add brown and pink shrimp to the management unit;

Action 2. Define overfishing for brown and pink shrimp. The South Atlantic pink and brown shrimp resources are overfished when annual landings fall below 2 standard deviations below mean landings 1957-1993 for three consecutive years. If annual landings fall below 2 standard deviations of the 1957-1993 mean landings for two consecutive years, the council will convene the Shrimp Stock Assessment Panel, Shrimp Advisory Panel, and the Shrimp Committee to review the causes of such declines and recommend any appropriate council action to address the problem.;

Action 3. Define optimum yield for the pink and brown shrimp fisheries;

Action 4. Require the use of certified BRDs in all penaeid shrimp trawls in the South Atlantic Exclusive Economic Zone.

A. Upon implementation of Amendment 2, BRDs that have passed the operational testing phase of the NMFS cooperative bycatch research program (fish eyes, and large mesh extended funnel BRDs) are certified for use in the EEZ.

B. Other BRDs will subsequently be certified according to procedures and criteria specified in Action 5. All shrimp nets (any net with mesh less than 2 1/2 inches stretched mesh - middle to middle of knot) and all nets greater than 16 feet in headrope length which are used as try (test) nets must use a certified BRD;

Action 5. Establish a BRD certification process and specify certification criteria for new or modified BRDs.

A. BRD certification process:

- BRDs reviewed and recommended by state agencies meeting the criteria and testing protocol specified by the council, may be used throughout the EEZ when certified by NMFS.
- Certification of BRDs will be administered by NMFS with the regional director making the decision based on direct application to NMFS.

B. Certification criteria:

- New or modified BRDs must be certified or approved by NMFS for use in the South Atlantic penaeid shrimp fishery based on the following criteria:
The BRD must reduce the bycatch component of fishing mortality for Spanish mackerel and weakfish by 50%, or demonstrate a 40% reduction in number of fish.

In addition, the council will establish a BRD testing protocol and a framework procedure to modify both the protocol and certification criteria.



Catch Fish, Not Cables!

A Message From the AT&T Submarine Protection Program



Avoiding our submarine cables can prevent costly damage to your gear and to ours. So, if you are fishing along the East coast of Florida, in the Caribbean, or along the North Atlantic or Pacific coasts of the U.S., you should contact us for a free Cable Warning Chart. Without this, you could be fishing for trouble.

Call AT&T Submarine Protection at: 1-800-235-CHARTS for further information.

ROCK SHRIMP AMENDMENT BEGINS SECRETARIAL REVIEW

The Secretary of Commerce began formal review of Amendment 1 to the Shrimp Fishery Management Plan of the South Atlantic region on March 5, 1996

The measures contained in this amendment were developed through close coordination with members of our Rock Shrimp Advisory Panel representing both South Atlantic and Gulf harvesters, processors, and dealers. The management program for rock shrimp in the South Atlantic region involves:

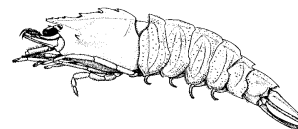
- adding rock shrimp to the management unit;
- prohibiting trawling for rock shrimp east of 80° W. Longitude in-between 28° 30'

N. Latitude and 27° 30' N. Latitude in depths less than 100 fathoms;

- requiring dealer permits to sell, barter, or trade rock shrimp;
- requiring vessel permits to harvest or possess rock shrimp; and
- requiring dealer reporting.

NMFS informed the council that the proposed vessel operators permit has been preliminarily disapproved. The council, while proposing measures under this amendment that direct NMFS to collect landings and value information as well as clearly identify all participants in the rock shrimp fishery, is recommending NMFS use existing systems to obtain this information. The use

of these systems will thereby reduce duplication with existing programs, as is the recommendation of the industry. NMFS will publish the proposed rule on March 25, 1996, and public comments on that rule will be accepted between March 25 and May 3, 1996. Approval of the Amendment should occur by Day 95 (June 13, 1996), with NMFS publishing the final rule on June 28, 1996.



Weakfish Closure Fails in Court

A coalition of fishermen and seafood processors teamed up with the State of North Carolina to have the National Marine Fisheries Service moratorium on weakfish struck down in court.

On February 16, 1996, a federal judge ruled that the Secretary of Commerce acted in excess of his statutory authority in implementing the moratorium, and the fishery was reopened in federal waters along the East coast, from Maine to Florida.

The Secretary closed the coast-wide weakfish fishery in order to help the severely depleted stock recover from overfishing.

Under the Atlantic Coastal Fisheries Management Act, the Secretary has the authority to implement regulations in federal waters which complement the ASMFC weakfish plan in state waters. The ASMFC, however, must provide recommended actions before the Secretary may exercise this authority.

In order to be considered a "qualifying plan", the Atlantic Act states that it must contain three elements: (1) information on the stock; (2) specific conservation measures for the states to implement; and (3) recommended actions to be taken by the Secretary.

Because the ASMFC weakfish plan does not contain the third element, the judge ruled the plan insufficient.

Though both the South Atlantic and the Mid-Atlantic Fishery Management Councils recommended the Secretary act on this issue, the judge ruled these recommendations insufficient due to the absence of specific language in the ASMFC coastal fishery management plan for this species.

The judge suggested the Secretary take action through the regional councils by creating an FMP for weakfish.

South Atlantic Council Jumps On Information Highway

While surfing the Net, visit our new Home Page! Now you can learn about the council, the federal fisheries management process, as well as be the first to learn of latest management considerations for fisheries in South Atlantic federal waters...all at the click of a mouse!

Council staff will post meeting and public hearing schedules, public comment deadlines, as well as other pertinent public information as it becomes available. Our Web site is in the initial stages of development, so please check back periodically for new, updated information. We hope our Home Page proves to be a valuable link between the public and the council, offering the latest council news in a timely manner.

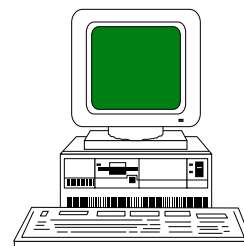
In addition to the new Home Page, the council now has the capability to correspond through E-mail. Feel free to provide feedback, suggestions, and concerns to the council via the internet. You may also opt to send in your official comments concerning fishery management plans and amendments through E-mail.

We are currently developing a directory of E-mail addresses, consisting of individuals and organizations involved in fisheries. If you would like your address included in this directory, please let us know.

Members of our advisory panels, assessment groups, and plan development teams are particularly encouraged to send in your E-mail addresses.

E-mail Address: safmc@safmc.nmfs.gov

Web Site: <http://www.safmc.nmfs.gov>



Please contact the following state agencies for regulations up to three miles offshore (state waters) in the South Atlantic:

Florida Marine Fisheries Commission
2540 Executive Center Circle West, Suite 106
Tallahassee, FL 32301
(904) 487-0554

Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, GA 31523-8600
(912) 264-7218

North Carolina Division of Marine Fisheries
P.O. Box 769
Morehead City, NC 28557
(919) 726-7021

South Carolina Department of Natural Resources
Marine Resources Division
P.O. Box 12559
Charleston, SC 29412
(803) 795-6350

The South Atlantic Council, one of eight U.S. regional fishery management councils, establishes conservation measures to ensure the viability of marine resources in federal waters (from three to two hundred nautical miles) off the coasts of North Carolina, South Carolina, Georgia and east Florida. Fishery Management Plans prepared by the council are designed to produce optimum yield, while preventing overfishing of our valuable resources. Council staff is available to answer questions during business hours at (803) 571-4366.

Editor's Note

The South Atlantic Update is published by the South Atlantic Fishery Management Council. Its purpose is to report developments in fisheries management that would be of interest to its readers. Please credit the council when reprinting articles used in this newsletter. Anyone wishing to submit information or articles pertaining to fishing or fisheries management, or letters to the editor on a pertinent issue, is invited and encouraged to do so. Submissions may be mailed to Susan Buchanan, Editor, South Atlantic Update, One Southpark Circle, Suite 306, Charleston, SC 29407-4699, or may be sent via the internet; Email address: Susan_Buchanan@safmc.nmfs.gov



A publication of the South Atlantic Fishery Management Council pursuant to National Oceanic and Atmospheric Administration Award No. NA67FC0003.

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

Robert K. Mahood
Executive Director

Gregg T. Waugh
Deputy Executive
Director

VOTING MEMBERS Designated State Officials

David Cupka, Chairman
Charleston, SC
(803) 795-6350

Russell Nelson
Tallahassee, FL
(904) 487-0554

Susan Shipman
Brunswick, GA
(912) 264-7218

Dennis Spitsbergen
Morehead City, NC
(919) 726-7021

Appointed Obligatory Members

John D. Brownlee
N. Palm Beach, FL
(407) 848-1118

Jodie Gay
Hampstead, NC
(910) 270-3718

Belinda F. Flanigan
Tybee Island, GA
(912) 786-9857

Charles Stone
Murrells Inlet, SC
(803) 651-1645

Appointed At-Large Members

Ben Hartig, Vice-Chairman
Hobe Sound, FL
(407) 546-1541

Fulton Love
Savannah, GA
(912) 925-3616

John F. Floyd
Spartanburg, SC
(803) 573-7271

Pete Moffitt
Swansboro, NC
(919) 393-8813

NMFS Regional Director

Andrew Kemmerer
St. Petersburg, FL
(813) 893-3141

Non-Voting Members

ASMFC
Washington, DC
(202) 452-8700
US Coast Guard

US Fish & Wildlife
Atlanta, GA
(404) 331-3588
State Department